

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter which Applicant regards as the invention.

Initially, Applicant submits that the Office Action does not address the current status of claim 7, which was previously added by amendment. It appears that claim 7 was not considered by the Examiner. Therefore, Applicant respectfully requests that the Examiner issue a supplemental action addressing claim 7.

Turning now to the rejection, claims 1-6 were rejected under 35 U.S.C. 103(a) over Bugbee in view of Corona or Cassada. For the following reasons, the rejection is respectfully traversed.

The Examiner concludes that Bugbee fails to teach a magnet as required by the claims. The Examiner has taken Official notice that "it is old and well known in the art to use one or more magnets to hold a metallic component in a desired position, wherein such magnets provide well known benefits including easy attachment/unattachment of a component thereto." The Corona patent and the Cassada patent are cited as examples in support of such Official notice.

Applicant respectfully submits that the record lacks a clear showing that one of ordinary skill in the related art would find a motivation or suggestion in the prior art to modify the teachings of Bugbee to include a magnet as presently claimed. Neither Bugbee, Corona nor Cassada provides the necessary suggestion or motivation.

Bugbee does not teach or suggest the use of a magnet for holding its locking pin (K). Further, Corona does not teach the use of a locking pin and does not suggest the use of its magnet

to hold such a pin. The magnet (96) in Corona is used only to guide a tool bit (16) into position below a bore (66) before it is manually slide into the bore. Also, the teachings of Cassada relate to electronic combination locks, not to power tools. One engaging in the design of a power tool would not look to the art of combination locks when seeking alternative design features.

Moreover, it is clear that the magnets in Corona and Cassada are each used in a way that is fundamentally different from the means for holding the pin in taught by Bugbee. This is demonstrated by the fact that the means for holding the pin (K) in Bugbee (i.e. the step (i) and the lug (L) could not be used in Corona and Cassada as a substitute for the magnets.

For all of the above reasons, there is insufficient basis in the record to form a *prima facie* case of obviousness, as required to support a rejection under 35 U.S.C. 103(a).

Further, regarding claims 1 and 6, neither Bugbee, Corona, Cassada, nor any combination thereof, teaches or suggests a means for “retaining a locking pin in its *locking position*,” as required. Bugbee teaches only a means for holding the pin (K) in an *unlocked position*, consisting of a lug (L) and a step (i). Bugbee does not teach any means for holding the locking pin (K) in its *locking position*. Specifically, when the pin (K) of Bugbee is in the locking position the pin (K) remains free to slide and thus, inverting the tool could cause the pin (K) to inadvertently slide back into the unlocked position. Claim 1 requires that the magnet retains the locking pin in its locking position (claim 6 has a similar requirement). There is no prior art reference of record that teaches or suggests that Bugbee should be modified to include a means for holding the locking pin (K) in its unlocked position, as claimed. The magnet (46) in Cassada holds *away from locking engagement* with a recess/hole (24). As previously mentioned, the magnet (96) of Corona guides and holds a tool bit, *not* hold a locking pin. Thus, every limitation of the claims is not taught or suggested by the prior art of record or any combination thereof.

Further, unlike the portable tool of the presently claimed invention which is likely to be inverted or jarred during the changing of the cutting tool, the drawings of Bugbee appear to depict a bench-style tool which would be bolted to a stationary work surface.¹ Therefore, there is no risk of accidental inversion while changing the saw-plate (E), making the feature of the present invention unnecessary. This further supports the argument set forth above regarding the lack of motivation to make the proposed modification.

Thus, even if Bugbee were modified based on the teachings of the prior art of record, including the Official notice taken by the Examiner, every limitation of the claims would not be taught or suggested as required. Therefore, claims 1 and 6, and dependent claims 2-5 and 7, are patentable over the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

¹ The presence of a driving-pulley (C) also indicates that Bugbee teaches a stationary tool that would be driven by a belt connected to an external source of power.

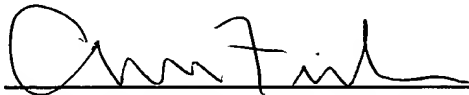
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**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3724**

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33208.

Respectfully submitted,

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